IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2812 OF 2006

Shivgonda Shankar Patil ....Petitioners

Versus

Chief Officer, Jaisingpur

Municipal Council ....Respondents

Mr.C.R.Patil i/by. S.S.Patwardhan for the petitioner.

Mr.G.M.Savagave for the respondents.

CORAM: S.C.DHARMADHIKARI, J.

21.11.2007

P.C. :

1. Perused the orders passed by the authorities exercising powers under the Municipalities Act with regard to Assessment and Valuation of the property Taxes.

2. The contention of the petitioner that the

Government G.R.’s dated 19.3.1999 and 16.9.2000 not been considered and complied is incorrect, inasmuch as, the courts below have specifically referred to the G.R. but relying upon the deposition of the parties and documents produced held that the benefit thereunder, if any, cannot be availed of by the petitioner.

3. There is no reason to interfere with this conclusion based as it is on the materials produced. No error or perversity is pointed out. Thus, the petition under Article 227 of the Constitution of India cannot be entertained. Petition dismissed.

4. However, the petitioner can still approach the council and seek benefit under the G.R. and the council to take into consideration the said representation of the petitioner, if made, and take appropriate decision thereon expeditiously so also communicate the same G.R. to the petitioner.

(S.C.DHARMADHIKARI, J)